

FILED  
IN CLERKS OFFICE  
**UNITED STATES DISTRICT COURT**  
**DISTRICT OF MASSACHUSETTS**  
2015 JUN 8 PM 1 28

SARA WILSON CELONA

Plaintiff

v.

DAVID J. SCOTT, in his official capacity as  
Pepperell Chief of Police  
Defendant

U.S. DISTRICT COURT  
DISTRICT OF MASS.

Civil Action No: 1:15-CV-11759-DJC

ANSWER

Edward J. Richardson, undersigned, Town Counsel for the Town of Pepperell, Middlesex County, Massachusetts, appearing on behalf of the Defendant David J. Scott, in his official capacity as Pepperell Chief of Police, in answer to the Complaint herein states as follows:

SUMMARY

Statement of case, no answer required.

THE PARTIES

1. Admitted.
2. Admitted.

JURISDICTION AND VENUE

3. Statement of jurisdiction, no answer required.
4. Statement of venue, no answer required.

STATEMENT OF FACTS

5. Denies knowledge and information sufficient to form a belief as to the allegations of this paragraph.
6. Denies knowledge and information sufficient to form a belief as to the allegations of this paragraph.
7. Denies knowledge and information sufficient to form a belief as to the allegations of this paragraph.
8. Denies knowledge and information sufficient to form a belief as to the allegations

of this paragraph.

9. Admitted.
10. Denies knowledge and information sufficient to form a belief as to the allegations of this paragraph.
11. Admitted.
12. Admitted.
13. Admitted.
14. Admitted.
15. Admitted.
16. Denies knowledge and information sufficient to form a belief as to the allegations of this paragraph and it calls for a legal conclusion.
17. Admitted insofar as it pertains to convictions in the Commonwealth of Massachusetts.
18. Admitted.
19. Denies knowledge and information sufficient to form a belief as to the allegations of this paragraph.
20. Admitted insofar as it pertains to a letter from the Vermont Superior Court dated March 26, 2014 but denies the remainder of this paragraph.
21. Denied but states further that the defendant relied on records from the National Criminal Information Center (NCIC).
22. Denied.
23. Denied but states further that the defendant relied on records from the National Criminal Information Center (NCIC).
24. Admitted.
25. Denies knowledge and information sufficient to form a belief as to the allegations of this paragraph.
26. Admitted.
27. Statement of legal conclusion, no answer required.
28. Admitted insofar as it recites a part of U.S. Const Amend V.
29. Statement of legal conclusion, no answer required.

30. Statement of legal conclusion, no answer required.
31. Statement of legal conclusion, no answer required.

*Defendants's Regulatory Scheme*

32. Admitted.
33. Admitted.
34. Admitted.
35. Denies knowledge and information sufficient to form a belief as to the allegations of this paragraph.
36. Admitted.
37. Admitted.
38. Admitted.
39. Admitted.
40. Admitted.
41. Denied.

COUNT I

42. Defendant restates and re-alleges his answers to paragraphs of the Complaint 1 through 41 as if fully set forth herein.
43. Denied.
44. Denied.

COUNT II

45. Defendant restates and re-alleges his answers to paragraphs of the Complaint 1 through 44 as if fully set forth herein.
46. Denied.
47. Denied.

COUNT III

48. Defendant restates and re-alleges his answers to paragraphs of the Complaint 1 through 47 as if fully set forth herein.
49. Denied.
50. Denied.

COUNT IV

51. Defendant restates and re-alleges his answers to paragraphs of the Complaint 1 through 50 as if fully set forth herein.
52. Denied.
53. Denied.

FOR A FIRST DEFENSE

1. The Plaintiff failed to exhaust her remedies to seek certiorari in the Massachusetts Superior Court of the adverse decision in the District Court pursuant to MGL ch. 231, sec. 97.

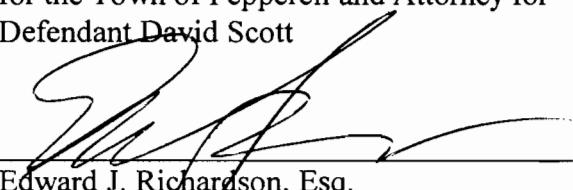
FOR A SECOND DEFENSE

1. Plaintiff has not pleaded any action which would entitle her to an award of attorney's fees under 42 U.S.C. §1988.

WHEREFORE, Defendant requests that the above entitled action be dismissed with costs.

Dated: June 5, 2015

Respectfully Submitted, by the Town Counsel  
for the Town of Pepperell and Attorney for  
Defendant David Scott

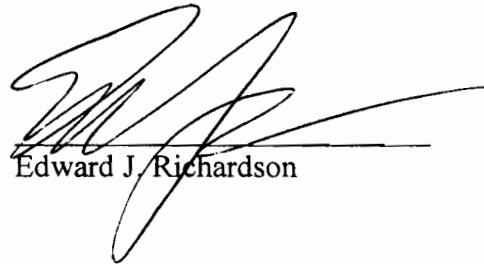


Edward J. Richardson, Esq.  
BBO# 419040  
Leahy and Richardson  
339 Washington Street, Suite 203  
Dedham MA 02026  
Tel: (781)326-8331  
Fax: (781)326-0355  
E-mail: [ejr339@verizon.net](mailto:ejr339@verizon.net)

**CERTIFICATE OF SERVICE**

Edward J. Richardson, undersigned, hereby certifies that, on June 5, 2015, he served the within Answer on the Plaintiff by mailing a true copy of the same to her attorney of record:

J. Steven Foley, Esq.  
Law Office of J. Steven Foley  
100 Pleasant Street #100  
Worcester MA 01609



Edward J. Richardson